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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,944	08/24/2001	Trung M. Tran	5181-82200	2680
7590	09/08/2006		EXAMINER	
B. Noel Kivlin Conley, Rose & Tayon, P.C. P.O. Box 398 Austin, TX 78767-0398			SHAW, PELING ANDY	
			ART UNIT	PAPER NUMBER
			2144	

DATE MAILED: 09/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/938,944	TRAN, TRUNG M.
	Examiner	Art Unit
	Peling A. Shaw	2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 30 May 2006.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-25 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-25 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 24 August 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.
 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____.
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____.

DETAILED ACTION

1. In view of the appeal brief filed on 05/30/2006, PROSECUTION IS HEREBY REOPENED. New ground of rejection, i.e. claims 17-25 rejections under 35 U.S.C. 101, is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2. Claims 1, 10 and 17 were previously (04/11/2005) amended. Claims 1-25 are still pending.

Priority

3. This application has no priority claim made. The filing date is 08/24/2001.

Drawings

4. Formal drawings are required in response to the instant Office action. A mechanical drawing with text description in the drawings. A drawing with no text description is considered informal, i.e. text description is required. Fig. 1 has no text description.

Claim Rejections - 35 USC § 101 Utility

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 17-25 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

a. Claim 17 recites the limitation of “A carrier medium . . .” that is described in lines 17-22 on page 14 of original specification as “Various embodiments may further include receiving or storing instructions and/or data implemented in accordance with the foregoing description upon a carrier medium. Suitable carrier media may include storage media or memory media such as magnetic or optical media, e.g., disk or CD-ROM, as well as transmission media or signals such as electrical, electromagnetic, or digital signals, conveyed via a communication medium such as a network and/or a wireless link.” The cited portion of the specification provides intrinsic evidence that Applicant intends for the phrase carrier medium as used in the claims to include both “storage or memory media” and transmission media, where the transmission media includes signals, in addition to anything else which would have reasonably been considered to be a carrier medium by one of ordinary skill in the art. As such, the claim covers embodiments directed to signals, *per se*. Since a signal lacks the necessary physical articles or objects necessary for it to be a machine or a manufacture within the meaning of 35 USC 101, and it’s clearly not a series of steps or acts so as to be a process or combination of two or more substances so as to be a composition of matter, it fails to fall within a statutory category. Since the claim is not limited to embodiments eligible for patent protection, it is being rejected as non-statutory as directed to a form of energy rather than a patent-eligible machine,

manufacture, process or composition of matter. Claim 17 and its dependent claims 18-25 are thus rejected.

b. It is recommended that claim 17 be amended as:

"A storage media comprising program instructions which are computer-executable to implement: ... " and claims 18-25 to be amended as "A storage media of claim 17, ...".

c. For the purpose of applying art, claims 17-25 are read as with above suggested claim language changes.

d. For further guidance on these topics, please refer to the Official Gazette, dated 11/22/2005, found here:

<http://www.uspto.gov/web/offices/com/sol/og/2005/week47/og200547.htm>

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-25 rejected under 35 U.S.C. 103(a) as being unpatentable over Shandony (US 6675261 B2), hereinafter referred as Shandony, and further in view of Mangat et al. (US 6049799 A), hereinafter referred as Mangat.

a. Shandony shows (claim 1) a method comprising: populating a directory with entries for each of a plurality of users of a multi-user computing environment, wherein each

entry in the directory comprises a user ID and one or more group names, wherein each of the one or more group names corresponds to a group to which the user ID belongs, and wherein at least one of the entries in the directory comprises a first group name of the one or more group names (Fig. 1, 5, 7-12: Emp1, Org A, Org B, Org C, Org D, Uid, Create Group, My Groups, entity, domain; column 7, line 64-column 8, line 12: Group Manager 44 allows entities to create, delete and manage groups of users who need identical access privileges to a specific resource or set of resources. Managing and controlling privileges for a group of related people); determining a first group access control list for the first group name, wherein the first group access control list comprises the user IDs of users whose directory entries comprise the first group name (column 7, lines 64-column 8, 29: access privileges for a group of users on resources); for each data source in the multi-user computing environment which permits access by the first group name, granting access to the respective data source to the users in the first group access control list (Fig. 7-12; column 7, line 64-column 8, line 12: Group Manager 44 allows entities to create, delete and manage groups of users who need identical access privileges to a specific resource or set of resources. Managing and controlling privileges for a group of related people). Shandony does not show explicitly (claim 1) wherein the first group access control list is stored outside of the directory.

- b. Mangat shows (claim 1) wherein the first group access control list is stored outside of the directory (Fig. 4 and 5, column 2, lines 14-28: new type of directory services object that may be used to provide document management of documents accessed by

users, groups of users; column 12, line 23-33: user object and group object are separate; column 15, line 10-43: user object; column 16, line 13-21: group object; user object and group object are quite different in their functions) in an analogous art for the purpose of document link management using directory services.

- c. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Shandony's functions of request based caching of data store data with Mangat's function of document link management.
- d. The modification would have been obvious because one of ordinary skill in the art would have been motivated to have group access functions different from user access functions per Mangat and Shandony's teaching.
- e. Regarding claim 2, Shandony shows wherein each entry in the directory comprises a user password; and wherein the method further comprises authenticating each user ID using the associated user password (column 9, lines 10-43).
- f. Regarding claim 3, Shandony shows wherein each entry in the directory comprises zero, one, or a plurality of hostnames (Fig. 1 and 3); wherein the directory comprises a first hostname; and wherein the method further comprises: for each data source in the multi-user computing environment which permits access by the first hostname, granting access to the data source to the one or more users whose directory entries comprise the first hostname and who are seeking access from the host having the first hostname (Fig. 1, 5 and 69; column 6, lines 52-57: The Access System includes Access Server 34, Web Gate 28, and Directory Server 36. Access Server 34 provides authentication, authorization, auditing logging services. It further provides for identity

profiles to be used across multiple domains and Web Servers from a single webbased authentication (sign-on); column 71, line 47-column 72, line 12: checking POST from Web Gate for access verification).

- g. Regarding claim 4, Shandony shows wherein the data source comprises a file or a directory in a file system coupled to the multi-user computing environment (Fig. 1, 3 and 8-15).
- h. Regarding claim 5, Shandony shows wherein the access comprises read access; and wherein the granting access to the data source to the users in the first group access control list comprises permitting the users in the first group access control list to read the data source (column 13, lines 25-27).
- i. Regarding claim 6, Shandony shows wherein the access comprises write access; and wherein the granting access to the data source to the users in the first group access control list comprises permitting the users in the first group access control list to write to the data source (column 13, lines 27-33).
- j. Regarding claim 7, Shandony shows wherein the access comprises execute access; and wherein the granting access to the data source to the users in the first group access control list comprises permitting the users in the first group access control list to execute the data source (column 13, lines 40-53).
- k. Regarding claim 8, Shandony shows for each data source in the multi-user computing environment which permits access by the first group name and owner but denies access to others, denying access to the data source to users who are not in the first group access control list and who are not the owner of the data source (column 7,

lines 54-column 8, line 11; column 71, line 47-column 72, line 12: checking POST from Web Gate for access verification).

- l. Regarding claim 9, Shandony shows wherein the multi-user computing environment comprises a UNIX based operating system (column 11, lines 5-6).
- m. Claim 10 is of the same scope as claims 1 and 4. It is rejected for the same reasons as for claims 1 and 4.
- n. Claims 11-16 are of the same scope as claims 2-3, 5-7 and 9. These are rejected for the same reasons as for claims 2-3, 5-7 and 9.
- o. Claims 17-25 are of the same scope as claims 1-9. These are rejected for the same reasons as for claims 1-9.

Together Shandony and Mangat disclosed all limitations of claims 1-25. Claims 1-25 are rejected under 35 U.S.C. 103(a).

Response to Arguments

7. Prosecution is re-opened in response applicant's appeal brief filed on 05/30/2006 in view of the new ground(s) of rejection.

a. In addition to previous rejections under 35 U.S.C. 103(a) in the office action dated 01/27/2006, claims 17-25 are now further rejected under 35 U.S.C. 101. This necessitates this office action before examiner being able to answer to applicant's appeal brief filed on 05/30/2006.

8. Examiner's response to applicant's arguments filed on 03/15/2005 with respect to pending claims was repeated as bellow:

a. Applicant's arguments filed on 03/15/2005 with respect to pending claims were considered but were moot in view of the new ground(s) of rejection as repeated in the current office action.

b. In response to statements on rejection of claims 1-2, 4-11, 13-18 and 20-25: The applicant has claimed "the determining a first group access control list ..." with the references to Fig. 5, 127, Fig. 6, 603, page 3, line 24-page 4, line 2, page 12, lines 23-28, and page 13, lines 22-29. The cited references narrate the intended functions and possible contents of access control list. The cited references do not provide detail description of how to determine. The claim is thus interpreted to have access control list based on the directory entries. As a person of ordinary skill in the art at the time of invention was made would perfectly know what an access control list is for and how it would consist of. Both Shandony and Mangat have cited these limitations. As the applicant points out (Fig. 5), the directory server (113) and access control list

(127) are in the same computer system (100). The applicant has also pointed out (page 10, lines 5-7) a file system (111) contains files, directories and any other suitable form of information. Neither Shandony nor Mangat preclude the access control list, i.e. group member list or group object, to be in the member directory, particularly Shandony. Mangat does put group objects in a directory service server that also contains other objects including user objects. That is not to say the user directory contains group objects.

- c. In response to statements on rejection of claims 3, 12 and 19: The action is updated with additional references.

Conclusion

9. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to the enclosed PTO-892 for details.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peling A. Shaw whose telephone number is (571) 272-7968. The examiner can normally be reached on M-F 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

Conclusion

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